

that the nervous condition is still much in evidence.

Messages of sympathy from all parts of the world reached the White House today, and there were many callers at the Executive offices to express sympathy. Chief Justice White of the Supreme Court of the United States, Samuel Gompers, president of the American Federation of Labor, and W. A. F. Ekenstam, the Swedish Minister, were among the callers.

Among the other callers at the White House was former President Taft, who remained for half an hour with Secretary Tumulty and then departed. The President's condition was reported to be improving, and the quick recovery of the President. Several members of the diplomatic corps also called during the day. Constant inquiries by telephone were made throughout the day as to the condition of the President.

The President's brother, John W. Wilson, was summoned from Baltimore.

Word reached the White House through the State Department that King Albert of the Belgians had cancelled all his engagements on account of the President's illness. The King expressed a desire to come to Washington to personally express his sympathy to the President, but it was explained to him that the President's condition would not permit him to receive any visitors for the present.

Effect on Affairs of State.

The emergency in the affairs of the Government which protracted disability on the part of the President would occasion in the complete absence of the President, the President would be succeeded by the Vice-President, or in the absence of the Vice-President, by the Speaker of the House of Representatives.

On this point the Federal Constitution does not define what shall be construed as disability and makes no provision for the removal of the President from office. The Vice-President, except to say that he shall assume such duties. The Constitution on this point declares:

In case of the removal of the President from office or of his death, resignation or inability to discharge the powers and duties of said office, the same shall devolve on the Vice-President, and in the absence of the Vice-President, on the Speaker of the House of Representatives.

What shall constitute inability is not defined or even indicated. Neither is it determined what officer of Government or what branch of the Government shall assume the duties of the President in the absence of the President. The Constitution is silent on this point.

Many Questions Are Open.

In the event that the complete disability of the President is physical, the character of the disability is the question. The Vice-President is the successor by law, but the question of the removal of the President from office is not defined.

It is pointed out that a President might be completely paralyzed in limb and voice yet retain in mind. In this event he could perform all the functions of office in so far as his judgment and decision were concerned. Legally he actually could sign state documents through the touching of a pen to his hand. The same state of affairs would maintain if he became totally blind or deaf.

On the other hand, a protracted malady of the gravest kind physically might impair the President's mentality although he would be bedridden and unable to take any action. In such a case public business as in the case of a long fever. Here, too, the question of inability to perform the power and duties of office is still open.

The situation is peculiar in that despite the 130 years of constitutional life of the United States the question never has been urged.

DR. DERGUM TO SEE PRESIDENT TODAY

Neurologist Says Patient's Condition Is Grave.

PHILADELPHIA, Oct. 3.—Dr. Francis X. Dergum, a neurologist, who examined the President Wilson at a consulting physician, said today that the President's condition is grave, but that he is of a cheerful frame of mind and a half of the President's bedside. Dr. Dergum returned home at midnight. "We merely confirmed," Dr. Dergum said, "the condition of the President. He is very cheerful and takes an interest in what is going on. This is an encouraging indication."

Mr. Wilson, according to Dr. Dergum, realizes that he is a sick man and is making an effort to ease his mind by the restraint which compels him to relinquish temporarily the helm of the Administration. By nature, said the neurologist, he is a "hard man to handle," but the President is not the type of man to be worried by his symptoms," said Dr. Dergum. "This led him to revert to his old strength, and he has been humbling it after the strain of the Peace Conference."

Upon his arrival, Dr. Dergum said to newspaper reporters:

"The President is profoundly exhausted and very weak. He remained in bed all day. He had no temperature, but the fact that he was able to get up today and become so completely exhausted later caused everyone to be a little apprehensive."

Dr. Dergum said he expected to go to the capital again to-morrow for another consultation with Dr. Grayson.

Dr. Dergum said it had been pre-arranged for him to return to-morrow and that there was "nothing particularly urgent" in his visit.

REDFIELD MAY HAVE TO STAY IN CABINET

President's Illness Disrupts Plans for Retiring.

Special Dispatch to The Sun.

WASHINGTON, Oct. 3.—William C. Redfield may have to stay on the job as Secretary of Commerce or leave the Cabinet post vacant as a result of the President's illness.

Secretary Redfield's resignation was accepted to take effect about the first of October, but because of the uncertainty of the general domestic and international situation and inability of the President to name a successor he arranged to stay on, possibly until November 1. It appears now, however, that no successor for him can be named by that date.

The President's illness is of such a character that a long period of complete rest is regarded by his physicians as necessary. This means that he will not

be permitted to consider any international or domestic questions and consequently cannot take up the Commerce Department vacancy.

Secretary Redfield is in New York, where he has been for several days. He left Washington without being aware of the President's condition. "It is known that the Secretary hoped and expected to get out at least by the first of next month so as to go into business again."

One thing that prompted the Secretary to remain in the Cabinet was the necessity of making final arrangements for the 142nd anniversary of the signing of the Declaration of Independence. These tasks have been about completed. The commercial service work of the Department has been organized on a peace time basis, with all war work virtually wound up.

It is possible that Mr. Redfield may step out and leave the Department in the hands of Edwin F. Sweet, Assistant Secretary.

MORMONS PRAY FOR WILSON.

Nineteenth Semi-Annual Conference Opens With Appeal.

SALT LAKE CITY, Utah, Oct. 3.—A special prayer for the complete and rapid recovery of President Wilson was said here today at the opening of the nineteenth semi-annual conference of the Mormon Church, held in the tabernacle in which President Wilson spoke September 22.

LANSING AND PAYNE DISCUSS IMPERATOR

No Decision About Disposal of Former German Liner.

WASHINGTON, Oct. 3.—Final disposition of the giant German liner *Imperator* and the *Deutschland*, which were seized by the United States after the signing of the armistice, was discussed today at a conference between Secretary of the Navy, Joseph D. Daniels, and the Shipping Board. No decision was reached and a further conference will be held when additional information on the subject has been received.

The *Imperator* and *Deutschland* were seized by the United States after the signing of the armistice. The *Imperator* was a passenger liner, and the *Deutschland* was a cargo liner. The Shipping Board is now considering the disposal of these ships.

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JUSTICE TIERNEY ACCUSES LAWYER

Kempner Misinformed Reporters in Rent Case.

Justice John M. Tierney of the Bronx Supreme Court yesterday completed an investigation of the publication of an erroneous report of a ruling he made in a recent case. He found that the blame for the error was on the lawyer, Harry Kempner, who had misinformed the reporters.

Justice Tierney said that he had been misled by the reports of the press. He had made a ruling in a case involving the rent of a building, and the press had reported that he had ruled in favor of the tenant.

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ANSWER IS FORCED ON STRIKE LEADER

Continued from First Page.

called a meeting of the entire committee before acting.

"For example, when the proposition was made for a vote on the question of striking some members were absent. Before acting they were all called in to consider and they unanimously declared in favor of the strike vote. That action was on July 10 last. It was not an order to strike, but an order to take a vote of the unions as to whether a strike should be ordered. It was directed that the strike vote be returned one month from that day."

McKellar Fins Him Dewar.

"But I want to know," insisted Senator McKellar, "whether you personally believe the statement about revolution that I have read?"

"If I were writing a book now I would not include any of that," he finally said. "But," insisted Senator McKellar, "I want to know whether you believe that statement to-day. You can answer that question 'yes' or 'no'."

Again Mr. Foster made indirect answer, saying:

"There has been a great deal of publicity in connection with this matter, and the newspapers have treated the men who are in charge of this campaign most unfairly. Even Mr. Gompers has been lambasted from one side and the other to the other for his part in it."

"Answer my question, please," insisted Mr. McKellar.

"I have not proceeded as if he had not heard the interruption."

"The papers have tried to beat us in this campaign by making me and Mr. Fitzgerald the issues, and misrepresenting us. I am not here to lie or to cavil; I will tell you the truth. If I hesitate it is because I do not feel that my answer will be fairly represented by the press. I have no possible objection to talking with all frankness to this committee if my personal opinions are of interest to you. I will do so if the press is excluded."

"But it is charged that the strike was in large part incited by radicals like myself. I am not here to lie or to cavil; I will tell you the truth. If I hesitate it is because I do not feel that my answer will be fairly represented by the press. I have no possible objection to talking with all frankness to this committee if my personal opinions are of interest to you. I will do so if the press is excluded."

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and would like to finish my answer first," replied Mr. Foster.

Senator McKellar insisted upon having this question answered, and after some time the witness said:

"Not only as to that paragraph but to all these things, I can say they were written eight or nine years ago. I am one of those who have come from the slums. I have lived a life of hard experience, have seen the worst side of many things, have known many things with which I could not agree. I was at one time a follower and advocate of the syndicalist system. Since then I have become a little less impatient and extreme in my views—in fact, a great deal less."

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